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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:	Case No. 08-13555 (JMP)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----X	:	
In re:	:	SIPA Proceeding
	:	
LEHMAN BROTHERS INC.,	:	Case No. 08-01420 (JMP)
	:	
Debtor.	:	
	:	
-----X	:	

**DECLARATION OF JAYANT W. TAMBE IN SUPPORT OF MEMORANDUM  
OF MOVANTS IN OPPOSITION TO THE MOTION *IN LIMINE* OF  
BARCLAYS CAPITAL INC. FOR AN ORDER EXCLUDING THE  
EXPERT TESTIMONY OF JOHN P. GARVEY, MARK E. SLATTERY,  
JOSEPH SCHWABA, JOHN J. SCHNEIDER, JOHN J. OLVANY,  
HARRISON J. GOLDIN, AND PROFESSOR MARK E. ZMIJEWSKI**

JAYANT W. TAMBE, an attorney admitted to practice before this Court, affirms the following under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am a member of the firm of Jones Day, special counsel for Movant Lehman Brothers Holding, Inc. (“Debtor”) in the jointly administered bankruptcy proceeding *In re Lehman Brothers Holdings Inc.*, No. 08-13555 (JMP).<sup>1</sup> I submit this declaration in support of the Memorandum of Movants in Opposition to the Motion *In Limine* of Barclays Capital Inc. for an Order Excluding the Expert Testimony of John P. Garvey, Mark E. Slattery, Joseph Schwaba, John J. Schneider, John J. Olvany, Harrison J. Goldin, and Professor Mark E. Zmijewski (“Movants Opposition”).

2. Exhibits cited in Movants Opposition that are exhibits to the Motion in Limine of Barclays Capital Inc. for an Order Excluding the Expert Testimony of John P. Garvey, Mark E. Slattery, Joseph Schwaba, John J. Schneider, John J. Olvany, Harrison J. Goldin, and Professor Mark E. Zmijewski (“Movants’ Experts”), filed on April 20, 2010 (the “Barclays Motion”) can be found attached to Barclays Motion. The reports and deposition transcripts of Movants’ Experts are attached as Exs. A-C, E, and I-Q to Barclays Motion, with the exception of the deposition transcript of Movants’ Expert John Olvany, who was deposed after the Barclays Motion was filed.

3. Trial exhibits cited as “M. \_\_” and “BCI Ex. \_\_,” which are in evidence, have not been attached.

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<sup>1</sup> Debtor has moved for relief under Rule 60(b) of the Federal Rules of Procedure. *See* Debtor’s Motion for an Order Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 30, 2008, Sale Order and Granting Other Relief, (Bankr. S.D.N.Y. Sept. 15, 2009) (LBHI Docket No. 5148); Debtor’s Reply Brief in Further Support of Its Motion for an Order Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024 (Bankr. S.D.N.Y. Mar. 18, 2010) (LBHI Docket No. 7641).

4. Attached hereto as **Exhibit 1** is a true and correct copy of the Declaration of Mark E. Zmijewski, dated July 15, 2010.

5. Attached hereto as **Exhibit 2** is a true and correct copy of the Declaration of John P. Garvey, dated July 15, 2010.

6. Attached hereto as **Exhibit 3** is a true and correct copy of the Declaration of John J. Olvany, dated July 15, 2010.

7. Attached hereto as **Exhibit 4** is a true and correct copy of the Declaration of Mark E. Slattery, dated July 15, 2010.

8. Attached hereto as **Exhibit 5** is a true and correct copy of the Declaration of Joseph Schwaba, dated July 15, 2010.

9. Attached hereto as **Exhibit 6** is a true and correct copy of the deposition transcript of John J. Olvany, dated April 21, 2010.

10. Attached hereto as **Exhibit 7** is a true and correct copy of the deposition transcript of Professor Paul Pfleiderer, dated February 23, 2010.

11. Attached hereto as **Exhibit 8** is a true and correct copy of the deposition transcript of Richard Landreman, dated June 16, 2010.

12. Attached hereto as **Exhibit 9** is a true and correct copy of the deposition transcript of Mark Washtell, dated June 17, 2010.

13. Attached hereto as **Exhibit 10** is a true and correct copy of the deposition transcript of Sean Teague, dated June 30, 2010.

14. Attached hereto as **Exhibit 11** is a true and correct copy of the Expert Report of Professor Paul Pfleiderer, dated January 8, 2010.

15. Attached hereto as **Exhibit 12** is a true and correct copy of an excerpt of deposition exhibit 813B, an email between Michael Guarnuccio and Christopher A. Fisher, dated February 7, 2009 (10:14 a.m.) [PwC-BarCap 00011225 – 228].

16. Attached hereto as **Exhibit 13** is a true and correct copy of an excerpt of deposition exhibit 820, a document titled “[BONY] PV of equity financial assets (UK)” [PwC-BarCapWP\_00021953 – 990].

17. Attached hereto as **Exhibit 14** is a true and correct copy of deposition exhibit 822, an email between Mark Washtell and Steven Calick, *et al.*, dated September 24, 2008 (17:27 GMT) [BCI-EX-(S)-00176765 – 767].

18. Attached hereto as **Exhibit 15** is a true and correct copy of deposition exhibit 873, an email between Robert MacGoey and Sean Teague, *et al.*, dated December 23, 2008 (7:27 p.m.) [PwC-BarCap 00008679 – 680].

Dated: New York, New York  
July 16, 2010

/s/ Jayant W. Tambe  
JAYANT W. TAMBE